

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	No.: 3:17-CR-82-TAV-DCP
)	
RANDALL KEITH BEANE,)	
)	
Defendant.)	

ORDER

This criminal case is before the Court on the Report and Recommendation entered by Magistrate Judge Debra C. Poplin, on January 18, 2019 (the “R&R”) [Doc. 258]. Before the magistrate judge was a petition by USAA Federal Savings Bank (“USAA FSB”) asserting a third-party interest in a 2017 Entegra Cornerstone 445B forty-five-foot diesel motorhome, VIN# 4VZVU1E94HC082752 (“the motorhome”) [Doc. 246-1]. On January 15, 2019, the Government and USAA FSB informed the Court that they had filed a Joint Motion for Entry of a Consent Order [Doc. 256] with a proposed Consent Order attached. In the R&R, Magistrate Judge Poplin concludes that no factual or legal disputes remain with regard to USAA FSB’s petition, given the parties’ consensual agreement as to the disposition of the motorhome. Magistrate Judge Poplin recommends that the Court grant the Joint Motion for Entry of Consent Order [Doc. 256] and approve the parties’ attached proposed Consent Order. Magistrate Judge Poplin also recommends that the Court permit USAA FSB to withdraw its Petition [Doc. 246-1]. There have been no timely objections

to the R&R, and enough time has passed since the filing of the R&R to treat any objections as having been waived. *See* 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72.

After careful review of the matter, the Court is in agreement with Magistrate Judge Poplin's conclusions and recommendations. The Court therefore **ACCEPTS** the Magistrate Judge's report and recommendation [Doc. 258] in full pursuant to 28 U.S.C. § 636(b)(1). The Court will grant the Joint Motion for Entry of Consent Order [Doc. 256] and approve the parties' proposed Consent Order in a separate order. USAA Bank's petition of third-party interest [Doc. 246-1] is **WITHDRAWN** as part of the disposition of this case.

IT IS SO ORDERED.

s/ Thomas A. Varlan
CHIEF UNITED STATES DISTRICT JUDGE